

**Remarks/Arguments**

**35 U.S.C. §102**

Claims 1-12 stand rejected under 35 U.S.C. §102(c) as being anticipated by Kwon et al. (U.S. Patent No. 7,168,050) ("Kwon").

It is respectfully submitted that Kwon neither teaches nor suggests a method for generating a displayable menu wherein:

"a state is assigned to each menu button, the state being "enabled" or "disabled", wherein only an enabled menu button may be displayed, and wherein not more than one menu button within a group may be enabled simultaneously,"

or wherein:

"at least one group of two or more menu buttons is defined, wherein each of the two or more menu buttons has associated a defined area on the display;"

as described in currently amended claim 1.

A problem addressed by the present invention is that menus for interactive video content are rather static, as there is no way to dynamically add or remove buttons from the screen without re-rendering the whole screen. For content authors, more sophisticated menu features would be desirable, such as the inclusion of sub-menus. In such a case, additional buttons would dynamically appear and disappear through user interaction. (Specification, page 1)

To solve this problem, the present invention provides a method to generate such dynamic menus. The claims describe a method and associated apparatus for generating a displayable menu comprising separately rendered selectable menu buttons, wherein at least one group of two or more menu buttons is defined, wherein each of the two or more menu buttons has associated a defined area on the display. As described in claim 1, a menu button may belong to not more than one of said groups, and a state is assigned to each menu

button, the state being “enabled” or “disabled,” wherein only an enabled menu button may be displayed, and wherein not more than one menu button within a group may be enabled simultaneously.

In contrast, Kwon addresses the separate problem that “as a sub-menu is displayed, the main menu which had previously been displayed disappears and only the sub-menu items of the selected main menu item are displayed on the screen.” (Kwon, column 1, lines 25-28) To address this distinctly different problem, Kwon teaches an “On Screen Display device and method for displaying a menu is disclosed. In the present invention, a plurality of OSD main menu items are displayed on a screen and a space between adjacent menu items is opened to display sub-menu items. Thus, a user can conveniently select a menu as the menu items and the sub-menu items are simultaneously displayed. Accordingly, a limited area of the screen can effectively be used to display more menus.” (Kwon Abstract)

Concerning item 4 of the Office Action, the Applicant respectfully disagrees with at least Examiner’s argument regarding Kwon disclosing the feature “only an enabled menu button may be displayed, and not more than one menu button within a group may be enabled simultaneously.” For this feature, the Examiner refers to Figure 7 of Kwon. However, it is unclear what the Examiner regards as a menu button group in this case. With respect to the previous claim feature, the Examiner considered a button (e.g. the button labeled “setup”) a separate button group. Under this interpretation, the buttons labeled “Video”, “Audio”, “preference” and “Time” shown in Fig.6 would also be separate button groups. Figure 7, however, shows a second menu level state with buttons “Screen source”, “Auto-scan”, “Hook-up”, “CH Add/Del” and “Focus”, and a third level menu state in a second region. If the second menu level buttons are considered a group of buttons, it is obvious that all buttons of the group are enabled, since all are simultaneously visible. Thus, the feature “not more than one menu button within a group may be enabled simultaneously” is not shown.

If, alternatively, each of the second-level buttons (e.g., “Screen source,” “Auto-scan,” etc.) is considered a separate group, the feature “each menu button (or ‘group’ in the previous version of claim 1) having associated a defined area on the display” is not shown,

since the display area of the first level menu buttons (e.g., "Video", "Audio", "preference" and "Time") depends on whether or not the second menu level is displayed. Kwon discloses first and second main menu items of a first menu level being displayed, and second level menu items being displayed in response to a user selection of one of the first or second main menu items. The second level menu items of Kwon are displayed in a delineated space between the selected main menu item and an unselected main menu item, such that unselected main menu items need to be redisplayed in a different position. (Kwon, Claim 1 and Fig. 6-7) Thus, at least the main menu items of Kwon do not have associated a defined area on the display, as described in claim 1 of the present invention. The main menu items of Kwon move to different areas based on user selections. Furthermore, no grouping of menu buttons is mentioned or suggested by Kwon. Thus, Kwon neither teaches nor suggests a method for generating a displayable menu wherein "at least one group of two or more menu buttons is defined, wherein each of the two or more menu buttons has associated a defined area on the display," as described in currently amended claim 1.

Furthermore, since Kwon does not suggest the claimed solution or recognize the problems solved by the present invention, Applicant considers the amended claim 1 to be non-obvious over Kwon.

In view of the above remarks and amendments to the claims, it is respectfully submitted that there is no 35 USC 112 enabling disclosure provided by Kwon that makes the present invention as claimed in currently amended claim 1 unpatentable. It is also respectfully submitted that currently amended independent claims 8 and 12 are allowable for at least the same reasons that claim 1 is allowable. Since dependent claims 2-7 and 9-11 are dependent from allowable independent claims 1 and 8, it is submitted that they too are allowable for at least the same reasons that their respective independent claims are allowable. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the

Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's representative at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the additional fee to Deposit Account 07-0832.

Respectfully submitted,

/Reitseng Lin/

By: Reitseng Lin  
Attorney for Applicant  
Reg. No. 42,804  
Phone (609) 734-6813

Patent Operations  
Thomson Licensing Inc.  
P.O. Box 5312  
Princeton, New Jersey 08543-5312  
June 10, 2009